

GUO, Liping

USSN: 10/626,013

REMARKS/ARGUMENTS

The Examiner rejected claims 1-2, 4-14, and 16-30 under 35 U.S.C. § 102(b) as being anticipated by Akhter (US 5,958,537). The Examiner states that "Akhter relates to a label stock consisting essentially of a facesheet layer of phenoxy or polyester binder resin, a pressure sensitive adhesive (PSA) adhered to the facesheet layer and covered with a release liner. The phenoxy binder resin is modified or made linear copolymer from bisphenol A and epichlorohydrin." (internal cites omitted). The Examiner then further states that Akhter discloses expressly or inherently the thickness of the facesheet, permanent adhesives and adhesive thickness, in the presence of conductive particles or fillers and the weight percentage of such fillers if present. The Applicants respectfully traverse the Examiner's rejection on the bases that the Examiner has not properly interpreted Akhter and that Akhter does not teach or suggest all of the limitations of the current claims.

The Examiner does not, and cannot, argue that the "facesheet" he cites Akhter is disclosing teaches that "the first surface of the cast facesheet layer [is] adapted to carry printed information." The reason that the Examiner's argument fails, and must fail, is that the Examiner is reading out an element of the label disclosed in Akhter. More specifically, the label of Akhter

"consists essentially of:

- A. A ... backing layer having ... [a] first surface adapted to carry printed information;
- B. A primer layer ... consisting essentially of: 1. A phenoxy or polyester binder resin matrix, and 2. Conductive particles ...; and
- C. A pressure sensitive adhesive layer...." Column 1, line 66 through column 2, line 18.

Thus, the layer the Examiner is calling a "facesheet" is in Akhter a primer layer interposed between a backing film and the adhesive layer. In Akhter, it is the backing film that has a first surface adapted to carry printed information. See col. 2, lines 1-3. The backing film optionally has a top coat to facilitate the marking of information onto the film. See col. 2,

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lines 59-63. Clearly, because Akhter teaches a label having more elements than the elements of the label stock of the current claims, Akhter cannot be teaching a label stock "consisting essentially of" the limitations listed in claims 1 and 13 and all claims dependent therefrom.

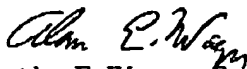
Furthermore, the construction of the inventive label usefully provides tamper-evident features to the label as described and claimed. Akhter does not teach or suggest making tamper-evident labels by using the current label stock structure.

The Examiner rejected Claims 1-30 under 35 U.S.C. § 103(a) as being unpatentable over Akhter. Specifically, the Examiner states that Akhter fails to teach that the phenoxy resin is crosslinked with the isocyanate or other hydroxyl functional crosslinker. The Applicants traverse this rejection on the basis that Akhter does not teach all the elements of the current claims as argued above.

For the reasons argued above, the Applicants believe that Claims 1-30 are allowable and request that the Examiner timely issue a Notice of Allowance for Claims 1-30.

A one-month extension is believed due for the filing of this Response. And a petition and fee therefore is attached. If further petitions or fees are required, the petition should be considered provisionally made and the fee should be charged to Deposit Account 23-2053.

Respectfully submitted,


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